

MEETING MINUTES FROM THE SPECIAL CITY COUNCIL MEETING OF JULY 31, 2021

Mayor Patricia Randall called the Special Meeting to order at 03:04 PM. The meeting was held in a partial virtual format as permitted by PA 228, in accordance with December 2020 Kalamazoo County Emergency Declaration. Mayor Patricia M. Randall, Mayor Pro Tem Jim Pearson, and Councilmembers Lori Knapp, Vic Ledbetter, Claudette Reid, and Terry Urban were present. Councilmember Knapp participated virtually from Georgian Bay, Canada. Councilmember Chris Burns was absent. Also in attendance were City Attorney Catherine Kaufman and City Clerk Erica Eklov.

PROPOSED CLOSED SESSION TO DISCUSS A CITY ATTORNEY LEGAL OPINION/STATEMENT.

Motion by Pearson, seconded by Ledbetter, to enter into a Closed Session to Discuss a City Attorney Legal Opinion/Statement. Councilmember Urban stated he did not believe a closed session was necessary to discuss the draft City Manager Agreement. Councilmember Reid asked the City Attorney about the non-disclosure section of the draft City Manager Agreement. City Attorney Kaufman replied that the language was common and only to the extent provided by law. She noted the language states the City Manager cannot disclose information publicly but the Agreement can be requested under the Freedom of Information Act. Councilmember Urban questioned why the section was included. The City Attorney responded that the provision gives confidence to both parties' confidentiality when executing an agreement. Upon a roll call vote, motion carried 5 to 1, with Councilmember Urban voting no.

-- Entered Closed Session at 3:08 p.m. --

-- Resumed Open Session at 4:12 p.m. --

Mayor Randall began discussion with a review of the current Deputy City Manager's salaries and relayed the recommendation from Human Resources Director Shannon Hertz for Deputy City Manager Herringa's salary as an Acting City Manager. Mayor Randall stated Director Hertz had noted that a range of \$160,000 to \$175,000 was in line with market reviews. Mayor Randall noted she had a scheduled meeting with Mr. Herringa and Mayor Pro Tem Pearson for the morning of Monday, August 2, 2021 and inquired whether the Mayor and Mayor Pro Tem had the ability to negotiate with Mr. Herringa on behalf of the City Council. The City Council then had discussion regarding salary calculations and ranges. Councilmember Urban stated he had no issue with the proposal for Mr. Herringa.

Mayor Randall requested the addition of the following to the Special Meeting she had previously scheduled for Monday, August 2: review of the revised draft agreement for the City Manager, and review of a draft agreement for the Acting City Manager. Councilmember Urban inquired whether a closed session was required to discuss salary matters. City Attorney Kaufman responded it was not required. Councilmember Reid noted that Mr. Herringa may have additional requests during his upcoming discussion with the Mayor and Mayor Pro Tem, and asked for a report to the remainder of City Council on Monday from the Mayor regarding the outcome of the discussions. Councilmember Urban inquired whether Deputy City Managers currently utilize city vehicles. Mayor Randall responded that both Deputy City Managers, as well as the City Manager, get car allowances. Councilmember Urban stated that Mr. Herringa's allowance may need to be increased based on expected increased travel. Councilmember Reid inquired whether a future closed session of the City Council would be required to review the proposed agreements. City Attorney Kaufman responded that a closed session was not required.

Motion by Reid, seconded by Pearson, to appoint the Mayor and Mayor Pro Tem to meet with

Deputy City Manager Herringa to discuss terms to assume the Acting City Manager role. Upon roll call vote, motion carried 6 to 0.

STATEMENTS OF CITIZENS: None.

ADJOURNMENT: Mayor Randall adjourned the meeting at 04:21 PM.

Erica L. Eklov, City Clerk